

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, STATE OF CALIFORNIA,  
STATE OF ILLINOIS, STATE OF MARYLAND,  
PEOPLE OF THE STATE OF MICHIGAN, STATE OF  
MINNESOTA, STATE OF OREGON, STATE OF  
VERMONT, and COMMONWEALTH OF VIRGINIA,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY; ANDREW WHEELER as Administrator of  
the UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY; and SUSAN PARKER  
BODINE as Assistant Administrator of the UNITED  
STATES ENVIRONMENTAL PROTECTION  
AGENCY,

Defendants.

**MOTION FOR  
PRELIMINARY  
INJUNCTION**

20-CV-3714 (CM)  
[rel 20-CV-3058]

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs ("States") respectfully move for a preliminary injunction on the basis that the States are likely to succeed on the merits of their Complaint, the challenged agency action is causing the States irreparable injury, the equities balance in the States' favor, and a preliminary injunction is in the public interest.

The States submit the following in support of this motion: (1) Memorandum of Law; (2) Declarations of James Clift with attached exhibits, Anthony Dvarskas, Patrick Omilian with attached exhibits, Dena Putnick, Jay Shimshack, and Peter Washburn; and (3) Proposed Order.

Dated: June 8, 2020

Respectfully submitted,

FOR THE STATE OF NEW YORK

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*\*Pro Hac Vice applications to be filed*

*\*\*Pro Hac Vice applications pending*

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